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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/759,292

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Takashi Furukawa

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02/23/2007

Takashi Furukawa
186-1 Kamiyama Yatomi-Cho
Mizuho-Ku
Nagoya, 467-0037
JAPAN

EXAMINER

RAMACHANDRAN, UMAMAHESWARI

ART UNIT

PAPER NUMBER

1617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/759,292	Applicant(s) FURUKAWA, TAKASHI	
	Examiner Umamaheswari Ramachandran	Art Unit 1617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims A-F has been renumbered as claims 1-6 for examination purposes.

Claims 1-6 are pending.

Objection to Specification

The disclosure is objected to under 37 CFR 1.71, as being so incomprehensible as to preclude a reasonable search of the prior art by the examiner. For example, the following items are not understood:

Summary of the invention:

It is not clear what acts with a little athlete's foot medicine in high concentration alcohol.

It is not clear in the sentence 'it invented perfect recovering for the athlete's foot bacillus for a short period of time' whether the athlete's foot was cured in a short period of time or the method of treatment lasts for a short period of time.

Detailed description of the invention:

It is not clear in step A: i) what retail medicine is added to rubbing alcohol ; ii) whether the retail medicine from the manufacture companies is 10-20% volume to rubbing alcohol or 10-20% volume of the medication is added to 79% of rubbing alcohol ; iii) which athlete's foot curative medicine liquid is diluted 5-10 times from the high concentration alcohol and what makes the order optimal.

It is not clear in step B: i) how to prepare the bag with which the liquid will not carried out during the legs immersed

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Step C is not clear as it is stated to put legs into D but 'D' is not described and the steps indicating the wearing and binding bags and extracting socks or the bags of the elasticity on it is not clear.

It is not clear in step F of how thin socks may be worn into a bag.

It is not clear in step G how each of the A-B-C are put into the bag and put over than ankles or over than the medical treatment range. It is not clear in the step what will be stopped or what finishes or what separates.

In addition steps D and E are missing in the specification.

35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: 1) acts with a little athlete's foot medicine in high concentration alcohol (Summary of the invention) 2) 'it invented perfect recovering for the athlete's foot bacillus for a short period of time' (Summary of the invention). 3) 'The invention tried to act as perfect recovering of the athlete's foot for a short period of time' (Detailed description of the invention). 4) The retail medicine from the manufacture companies --10-20 vol% to rubbing alcohol --- into the rubbing alcohol of --79Vol% -- make the athlete's foot curative medicine liquid diluted 5 to 10 times from the high concentration alcohol which makes the order optimal (Detailed description of the invention, Step A). 5) 'relates to the tools and the medical treatment method and using the prepared thing and its simple substance (Background of the invention, lines 12-14).

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6) 'there is nothing that can carry out perfect recovering of the athlete's foot medicine, although the medicine manufacture companies in the world have made much athlete's foot medicine from the former' (Background of the invention, lines 14-18). 7) 'The present condition is that the man in the world moreover also desires extermination and perfect recovering for athlete's foot for a short period of time now' (Background of the invention, lines 18-21). 8) Step J in description of the invention states that 'the above medical treatment methods are for extinguishing athlete's foot bacillus from the feet and the life circumference'.

A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

Claim Objections

Claims 3 and 6 are objected to because of the following informalities: Claim 3 is objected to as a 'period' is missing at the end of the claim. Claim 6 is objected because the claim contains multiple sentences. Appropriate correction is required.

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims A-F has been renumbered to claims 1-6.

Objections to Drawings

The drawing is objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: The drawing contains a reference number 7 which is not described in the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Claim 1 fails to clearly indicate what is diluted 5-10 times from the high concentration alcohol and it is unclear of 'which makes the order optimal'. Claim 2 is unclear of 'each medicine manufacture companies'. Claim 3 is unclear whether to prepare the high concentration rubbing alcohol to 79 VOI% and also it is unclear of the subject matter 'which makes the order optimal' in the claim. In claim 4 it is not clear of how to prepare the bags as the claim states 'preparing the bags liquid leak of the leg is not carried out for being immersed'. Claim 5 is not clear of how to bind the bags or how to prepare the socks or bags of elasticity. Claim 6 does not clearly indicate of what A-B-C is and the subject matter 'steeping over than ankles or over than the medical treatment range till the skin of the legs will become fish scales is not clear. Also, it is not clear from the claim whether to continue about one week twice in the morning and evening for one day or what separates being immersed for several minutes to 1 hour or more then being stopped. It is not clear in the claim what to finish and what is referred to 'they' in when they separate. Also, the claim ends with 'And at the time of a serious illness, it will be needed repeating the same thing again'. It is not clear here what the serious illness is referred to and what will be needed repeating and what the same thing is.

Claims 1-6 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

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The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure, which goes to make up the device, must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

Conclusion

No claims are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Umamaheswari Ramachandran whose telephone number is 571-272-9926. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sreeni Padmanabhan can be reached on 571-272-0629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

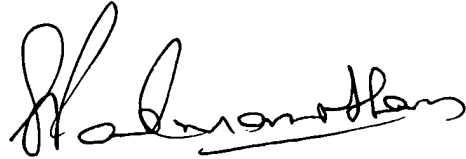
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Renumbered Claims

What is claimed is:

- 1) The retail medicine from the manufacture companies which melts into the rubbing alcohol of--79VOI~-- make the athlete's foot curative medicine liquid diluted 5 to 10 times from the high concentration alcohol which makes order the optimal.
- 2) Preparing the required quantity of the following medical treatment method for the athlete's foot medicine of each medicine manufacture companies.
- 3) Preparing the high concentration rubbing alcohol 79VOI% -- which makes order the optimal.
- 4) Preparing the bags liquid leak of the leg is not carried out for being immersed.
- 5) Binding up the bags in which the legs immersed. Preparing socks or the bags of elasticity.
- 6) Putting each of the A-B-C into the bag, and steeping over than ankles or over than the medical treatment range till the skin of legs will become like fish scales, and continue about one week twice in the morning and in evening for one day till it separates being immersed for several minutes to 1 hour or more, then being stopped. And finish when they separate. And at the time of a serious illness, it will be needed repeating the same thing again.


SREENI PADMANABHAN
SUPERVISORY PATENT EXAMINER